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Witnesses: Direct Cross direct cross Examiner
None.

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None so marked.		

1 JUDGE BRODSKY: Pursuant to the authority of the
2 Illinois Commerce Commission, I now call Docket
3 03-0666. This is Anna K. Hessel versus Commonwealth
4 Edison Company, and it's a complaint as to billing in
5 Wood Dale, Illinois. May I have the appearances for
6 the record, please.

7 MS. FRANCO-FEINBERG: On behalf of Commonwealth
8 Edison Company, Felicia Franco-Feinberg, Exelon
9 Business Services, 10 South Dearborn, Floor 35,
10 Chicago, Illinois 60603.

11 JUDGE BRODSKY: And Ms. Hessel, do you want to
12 enter your appearance, please.

13 MS. HESSEL: Okay. Anna K. Hessel, Willowbrook,
14 Illinois.

15 JUDGE BRODSKY: Can you give us the full mailing
16 address.

17 MS. HESSEL: Sure. Currently it's 6-A Kingery
18 Quarter, Apartment 203, Willowbrook, 60527.

19 JUDGE BRODSKY: Okay. You said currently, is it
20 expected to change?

21 MS. HESSEL: It is expected to change. I had
22 mentioned that to you on -- when we spoke on Monday.

1 I don't have an -- have an exact date for the change
2 at this point.

3 JUDGE BRODSKY: Okay.

4 MS. HESSEL: I will have mail-forwarding.

5 JUDGE BRODSKY: Okay. And certainly keep in
6 touch with Ms. Franco-Feinberg --

7 MS. HESSEL: Okay.

8 JUDGE BRODSKY: -- as to whatever the changes
9 may be.

10 MS. HESSEL: Okay.

11 MS. FRANCO-FEINBERG: Just as a point of
12 clarification, Ms. Hessel, your address is exactly as
13 it is on the Complaint except -- rather than
14 Hinsdale, it's Willowbrook; is that what I
15 understand?

16 MS. HESSEL: Well, technically it is in
17 Hinsdale; but the mailing address is Willowbrook.

18 MS. FRANCO-FEINBERG: Okay. So for the moment,
19 you're still at the 6-A Kingery Qua- --

20 MS. HESSEL: That's correct.

21 MS. FRANCO-FEINBERG: -- Apartment 203?

22 MS. HESSEL: That's correct.

1 MS. FRANCO-FEINBERG: Okay. And I took from
2 your conversation with Judge Brodsky that you will be
3 moving shortly?

4 MS. HESSEL: Shortly -- hopefully this weekend,
5 but I don't know yet. I don't have keys yet.

6 MS. FRANCO-FEINBERG: Okay.

7 MS. HESSEL: I just have keys to the garage.

8 MS. FRANCO-FEINBERG: Okay. Would you be able
9 to provide us at this time with your new address, or
10 not yet?

11 MS. HESSEL: I can give it to you but, like I
12 said, I haven't moved into it yet; but if you want
13 it, I can give it to you.

14 MS. FRANCO-FEINBERG: That will be helpful for
15 us, at least.

16 MS. HESSEL: Okay. Okay. 717 North Willow in
17 Elmhurst.

18 JUDGE BRODSKY: And what's the ZIP code in
19 Elmhurst?

20 MS. HESSEL: I think it's 60126.

21 JUDGE BRODSKY: Okay. Well, keep us informed when
22 it changes and --

1 MS. HESSEL: Okay.

2 JUDGE BRODSKY: -- because also the Clerk's
3 Office is going to need to know --

4 MS. HESSEL: Okay.

5 JUDGE BRODSKY: -- because otherwise they're
6 going to keep sending stuff to the old address.

7 MS. HESSEL: Okay. And I'll make sure I do
8 have, you know, the mail-forwarding, as well.

9 JUDGE BRODSKY: Okay. Great. And actually,
10 what you can do on that score is just send them a
11 letter stating the address change and --

12 MS. HESSEL: Okay.

13 JUDGE BRODSKY: -- to send to -- everything to
14 the new address; and that will make it clear to
15 them --

16 MS. HESSEL: Okay.

17 JUDGE BRODSKY: -- and it will be in the record
18 that way. Okay? Great.

19 So with all of that said, this is the
20 first time that the case is up. It -- we had a brief
21 conversation the other day because Complainant wanted
22 to appear by phone due to certain logistical

1 difficulties and -- so that was allowed for today.

2 And I had noted that if and when this goes to
3 evidentiary hearing, that that would have to be done
4 here.

5 MS. HESSEL: Okay.

6 JUDGE BRODSKY: But other than that, since this
7 is the first time the matter's up, let me just
8 explain the process.

9 Basically, we're here today. We'll
10 start generating the schedule, and I'll explain a
11 couple things as to what's coming down in future
12 dates; and then I will give you time at the end to
13 talk with the company and if resolution can be
14 reached fine, or if matters can be clarified --

15 MS. HESSEL: Okay.

16 JUDGE BRODSKY: -- that's fine.

17 And that is sometimes helpful. And so
18 I will let you do that after the hearing is done

19 MS. HESSEL: Okay.

20 JUDGE BRODSKY: Basically what happens is -- the
21 next step in this process is called discovery.

22 That's when you and the company engage in an exchange

1 of information.

2 MS. HESSEL: Okay.

3 JUDGE BRODSKY: You'll have a chance to ask the
4 company for information or for documents that you
5 think are relevant, and they will have the
6 opportunity to do the same thing with you. And then
7 at the end of that, after questions are are served,
8 there will be some time and each side will have to
9 answer the other. And then when discovery's
10 complete, there will be an evidentiary hearing
11 potentially.

12 So are there any questions at this
13 point?

14 MS. HESSEL: No.

15 JUDGE BRODSKY: Okay. Is there anything from
16 your side?

17 MS. FRANCO-FEINBERG: Well, I think Com Ed had
18 hoped to meet Ms. Hessel in person. I think
19 Ms. Hessel and Com Ed have a rather long history with
20 each other of billing disputes and unpaid outstanding
21 balances.

22 So we're hopeful that maybe that can

1 be addressed, I guess, after the hearing today.

2 JUDGE BRODSKY: Okay.

3 MS. FRANCO-FEINBERG: Other than that, is it
4 your expectation that we would set a discovery
5 schedule and a hearing date today; or how were you
6 intending to proceed?

7 JUDGE BRODSKY: Well, not necessarily. I'll
8 leave that to the wishes of you and Ms. Hessel. We
9 can leave a time open for a couple weeks so that you
10 can discuss further; or if necessary, we can -- we
11 can set a date that everybody can come together and
12 discuss the issues face-to-face, if that's helpful.
13 There were some logistical problems that I suggested
14 that that wouldn't be possible for today, but at
15 least with a couple weeks' notice that might be a
16 little more doable.

17 So with that, what is the desire of
18 the company on that?

19 MS. FRANCO-FEINBERG: Com Ed is fine with just a
20 future status date and hope, perhaps, the parties can
21 resolve the matter.

22 JUDGE BRODSKY: Okay. And Ms. Hessel, is that

1 fine with you?

2 MS. HESSEL: I'm sorry. I wasn't -- I didn't
3 understand. I didn't hear her. Something about
4 future status?

5 JUDGE BRODSKY: Right. So there will be a
6 status date in the future so that you'll have some
7 time to discuss the matters today --

8 MS. HESSEL: Okay.

9 JUDGE BRODSKY: -- and then we'll have a
10 status -- are you envisioning this before discovery
11 starts or after discovery's underway?

12 MS. FRANCO-FEINBERG: I think before.

13 JUDGE BRODSKY: Okay.

14 MS. FRANCO-FEINBERG: Before.

15 JUDGE BRODSKY: All right. So then the next
16 step will be a status hearing.

17 And is that one for here or what?

18 MS. FRANCO-FEINBERG: I think it would be
19 helpful to have the parties present --

20 JUDGE BRODSKY: Okay.

21 MS. FRANCO-FEINBERG: -- if possible.

22 JUDGE BRODSKY: All right.

1 MS. FRANCO-FEINBERG: I understand, you know,
2 Ms. Hessel had difficulty today. I'm not sure -- I
3 mean if she can, in the future, be present.

4 JUDGE BRODSKY: Okay. Well -- I mean, if we set
5 it sufficiently in advance, would it be possible for
6 you to come in then, Ms. Hessel?

7 MS. HESSEL: Yes, if it's -- yeah, if it's
8 sufficiently in advance, I don't see that being a
9 problem. I would need to know the date as soon as
10 possible.

11 JUDGE BRODSKY: Right. Okay. And -- well,
12 while we're talking about that, what date are we
13 looking at? Couple weeks out?

14 MS. FRANCO-FEINBERG: That's fine with Com Ed.

15 JUDGE BRODSKY: Is that okay, Ms. Hessel, a few
16 weeks?

17 MS. HESSEL: What -- is there a specific date?

18 JUDGE BRODSKY: Well -- Yeah, we'll pick one
19 within there; but I -- I was thinking maybe -- okay.
20 How about Tuesday, December 16th as a -- as a
21 possible day?

22 MS. HESSEL: Hang on just a second. Can you

1 hang on while I grab a pen?

2 JUDGE BRODSKY: Yeah.

3 MS. HESSEL: Okay. Yeah. I don't see that
4 being a problem. That gives me sufficient --
5 sufficient notice.

6 JUDGE BRODSKY: Okay.

7 MS. HESSEL: Okay.

8 JUDGE BRODSKY: And is there -- were there
9 substantial problems with recovering the notice that
10 was sent to you?

11 MS. HESSEL: Yes. Actually if -- I had
12 mentioned to you on Monday, I didn't even get the
13 slip in my mailbox. I didn't get the letter actually
14 signed for the certified letter until Friday.

15 JUDGE BRODSKY: Okay. So what you can do, I
16 think -- there's two ways you can -- you can go about
17 it. The case is maintained online on the e-Docket
18 Web site and --

19 MS. HESSEL: Okay.

20 JUDGE BRODSKY: -- you can -- you can follow
21 what's going on there. And the case number is
22 03-0666.

1 So you would input that case number,
2 and that would bring up everything that's --
3 available.

4 MS. HESSEL: All right --

5 JUDGE BRODSKY: -- available.

6 MS. HESSEL: -- and what is the Web site number?

7 JUDGE BRODSKY: The Web site --

8 MS. HESSEL: Or the Web site address?

9 JUDGE BRODSKY: -- would be -- you can link to
10 it through our -- the general commission Web site,
11 which is www.icc.state.il.us, I think.

12 A VOICE: Yeah, that's right.

13 JUDGE BRODSKY: All right.

14 MS. HESSEL: Okay.

15 JUDGE BRODSKY: So that's one possible way. The
16 second way is, if you found the -- that the service
17 was troubling, ask -- what I need you to do is send a
18 letter to the -- to the Chief Clerk and ask that --
19 if they're sending you something certified, to send
20 it to you via regular mail as well.

21 MS. HESSEL: Okay.

22 JUDGE BRODSKY: And hopefully that alleviates

1 the problems.

2 MS. HESSEL: Okay.

3 JUDGE BRODSKY: All right. So we were looking
4 at December 16th for a status date. Let's set this
5 at 1:00 o'clock.

6 MS. HESSEL: Okay.

7 MS. FRANCO-FEINBERG: 1:00 o'clock, your Honor?

8 JUDGE BRODSKY: Yeah. And then -- so with that,
9 please make every effort to be present at that
10 hearing, Ms. Hessel.

11 MS. HESSEL: Okay.

12 JUDGE BRODSKY: And hopefully that will be
13 helpful in resolving the case.

14 MS. HESSEL: Okay.

15 JUDGE BRODSKY: All right. So with that, is
16 there anything else that we have to do today other
17 than just to allow some discussion?

18 MS. FRANCO-FEINBERG: Not from Com Ed, your
19 Honor.

20 JUDGE BRODSKY: Okay. Ms. Hessel, anything?

21 MS. HESSEL: I don't think so.

22 JUDGE BRODSKY: Okay. Well, then that's what

1 we'll do. I'll leave the phone open, and you guys
2 can discuss further.

3 And I will leave and see you all on
4 December 16th.

5 MS. HESSEL: Okay. And this is where on
6 December 16th?

7 JUDGE BRODSKY: It is in Chicago.

8 MS. HESSEL: Okay.

9 JUDGE BRODSKY: The building is the Michael A.
10 Blandick building. 160 North LaSalle Street. It's
11 the corner of LaSalle and Randolph.

12 MS. HESSEL: Okay. Okay.

13 JUDGE BRODSKY: All right. So I will have the
14 Clerk's Office send that notice, then, of that
15 hearing.

16 And I'll expect to see you, as well as
17 Com Ed, at that time.

18 MS. FRANCO-FEINBERG: Great.

19 JUDGE BRODSKY: Okay. That's it for today.
20 Thank you.

21 MS. HESSEL: Okay. Thank you.

22

1 (Whereupon, the above-entitled
2 matter was continued to
3 December 16, 2003, at
4 1:00 p.m.)
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State of Illinois
ILLINOIS COMMERCE COMMISSION

03-0666

(To be filed with the Chief Clerk)

MINUTES

Chicago, Illinois
November 12, 2003

CASE NO.: 03-0666

SUBJECT: ANNA K. HESSEL, complainant, vs.
COMMONWEALTH EDISON COMPANY, respondent.
Complaint as to being charged for
electricity did not use for a temporary
residence in February 2003, in
Wood Dale, Illinois.

HEARD BY: Mr. Ian D. Brodsky, ALJ

APPEARANCES AND ADDRESSES:

EXELON BUSINESS SERVICES COMPANY, by
MS. FELICIA E. FRANCO-FEINBERG
10 South Dearborn Street
Suite 3500
Chicago, Illinois 60608
Appearing for Commonwealth Edison Company.

DISPOSITION: December 16, 2003 at 1:00 p.m.

EXHIBITS FILED: None.

REPORTED BY: Julia C. White, CSR

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